BILL NO. 94

Government Bill

1st Session, 60th General Assembly
Nova Scotia
55 Elizabeth II, 2006

An Act to Establish the Property Valuation Services Corporation

CHAPTER 19
ACTS OF 2006

AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
NOVEMBER 23, 2006

The Honourable Jamie Muir
Minister of Service Nova Scotia and Municipal Relations

Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly

An Act to Establish the Property Valuation Services Corporation

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the *Property Valuation Services Corporation Act*.

2 In this Act,

(a) "Assessment Services" means the Assessment Services Division of Service Nova Scotia and Municipal Relations;

(b) "Board" means the Board of Directors of the Corporation, unless the context requires otherwise;

(c) "Corporation" means the Property Valuation Services Corporation;

(d) "Crown" means Her Majesty in right of the Province;

(e) "director" means a member of the Board, unless the context requires otherwise;

(f) "independent member" means a member of the Board or Transitional Board who is not a member of a municipal council, an employee of a municipal council, the Executive Director of the Union of Nova Scotia Municipalities or the Deputy Minister of Service Nova Scotia and Municipal Relations;

(g) "minister" means a member of the Executive Council;

(h) "Minister" means the Minister of Service Nova Scotia and Municipal Relations;

(i) "municipality" means a regional municipality, a town or a municipality of a county or district, within the meaning of the *Municipal Government Act*;

(j) "Transitional Board" means the Assessment Services Transitional Board created by a letter of agreement between the Minister and the Union of Nova Scotia Municipalities in June 2006 and continued by this Act.

TRANSITIONAL BOARD

3 **(1)** The Transitional Board is hereby continued as a body corporate to be known as the Assessment Services Transitional Board.

(2) The Transitional Board is accountable to the Minister and to the Board of Directors of the Union of Nova Scotia Municipalities.

(3) It is the responsibility of the Transitional Board to

(a) advise the Minister and the Board of Directors of the Union of Nova Scotia Municipalities respecting policy matters related to assessment services;

(b) undertake research and recommend programs respecting assessment matters;

(c) review and advise respecting the financial requirements of Assessment Services;

(d) determine the operating and capital budgets of the Corporation for the fiscal year commencing April 1, 2007;

(e) establish a preliminary three-year operating plan and a preliminary five-year capital plan for the Corporation;

(f) determine the initial operating policies of the Corporation, subject to this Act, including policies respecting the internal administration of the Corporation, organizational design, human resources plan, communications, information technology strategy, initial Board policies and by-laws, legal and financial services and provision of corporate services; and

(g) negotiate transitional matters subject to this Act and the memorandum of understanding provided for in this Act, including protocols respecting continued provision of any overhead services, information technology, legal and administrative services, data sharing and any other matters that, in the opinion of the Transitional Board, ought to be dealt with.

(4) The Transitional Board has the power to bind the Corporation.

4 (1) Members of the Transitional Board shall be reimbursed for expenses necessarily incurred as part of their duties as members of the Transitional Board at the same rates prescribed by the Union of Nova Scotia Municipalities for its Executive.

(2) Members of the Transitional Board may be remunerated at a rate determined by the Transitional Board.

(3) Reimbursement and remuneration of the Transitional Board shall be paid by the Province from the Assessment Services budget.

5 A majority of the members of the Transitional Board is a quorum.

6 (1) The Transitional Board has the authority to create committees and the same authority to adopt by-laws as the Board.

(2) By-laws are effective when approved by a resolution passed by a two-thirds majority of the members of the Transitional Board, including a majority of those members who are elected municipal officials, or such higher proportion of members of the Transitional Board as is determined by a by-law made by the Transitional Board after the coming into force of this Act.

7 (1) Effective April 1, 2007, the members of Transitional Board become directors, and the Transitional Board ceases to exist.

(2) The term of office of a member of the Transitional Board who is a municipal employee, or on the Transitional Board by reason of being a former president of the Union of Nova Scotia Municipalities or a current or former President of the Association of Municipal Administrators, ends upon new appointees becoming directors on December 1, 2007.

(3) The term of office of a member of the Transitional Board or the Board who is a member of a municipal council ends upon new appointees becoming directors on December 1, 2008.

(4) The term of office of an independent member of the Transitional Board who becomes a director ends on December 1, 2008.

(5) A member of the Transitional Board who is a member of a municipal council or a municipal employee ceases to hold office on the Transitional Board if the member ceases to be a member of a municipal council or a municipal employee, as the case may be.

(6) Where a member of the Transitional Board ceases to hold office on the Transitional Board before the expiry of that member's term, the Union of Nova Scotia Municipalities may appoint a similarly qualified person to complete the member's term of office, in accordance with the letter of agreement.

(7) A vacancy in the membership of the Transitional Board does not affect the ability of the remaining members to act.

(8) A member of the Transitional Board may be appointed for one additional term as a member of the Board on or after December 1, 2007.

8 Sections 28 to 31 apply to the Transitional Board.

PROPERTY VALUATION SERVICES CORPORATION

9 **(1)** There is hereby established, effective April 1, 2007, a body corporate to be known as the Property Valuation Services Corporation.

(2) The Corporation is composed of its members.

(3) Every municipality in the Province is a member of the Corporation.

10 The objects of the Corporation are to provide assessment and related property information services for municipalities and the Province.

11 **(1)** The Corporation is not an agent of the Crown nor is it a crown corporation within the meaning of Part VIII of the *Provincial Finance Act.*

(2) The Corporation is not a department, government business enterprise nor government unit within the meaning of the *Provincial Finance Act.*

12 A person employed or engaged by the Corporation is not an officer, servant or agent of the Crown.

13 The management and control of the affairs of the Corporation is vested in a Board of Directors and the Board may, subject to this Act, exercise the powers of the Corporation.

14 In Sections 15 and 16,

(a) "regional municipality" means Halifax Regional Municipality or Cape Breton Regional Municipality;

(b) "rural municipality" means the Region of Queens Municipality or a municipality of a county or district;

(c) "town" means an incorporated town.

15 **(1)** On December 1, 2007, the membership of the Board consists of

(a) the former chair of the Transitional Board whose term shall continue until the chair is replaced on December 1, 2008;

(b) three former members of the Transitional Board, one of whom is a member of the council of the Halifax Regional Municipality, one of whom is a member of a council of a rural municipality and one of whom is a member of a council of a town, whose terms continue until December 1, 2008;

(c) three members of municipal councils appointed by the Union of Nova Scotia Municipalities, one of whom is a member of the council of the Cape Breton Regional Municipality, one of whom is a member of a council of a rural municipality and one of whom is a member of a council of a town, and who each hold office for a term of three years;

(d) three members of the Association of Municipal Administrators who are employees of municipalities appointed by the Union of Nova Scotia Municipalities, one of whom is an employee of a regional municipality, one of whom is an employee of a rural municipality and one of whom is an employee of a town and who each hold office for a term of two years;

(e) the Deputy Minister of Service Nova Scotia and Municipal Affairs, who is a non-voting member; and

(f) the Executive Director of the Union of Nova Scotia Municipalities.

(2) On or after December 1, 2008, the Board may appoint two independent members who, if appointed, each hold office for a term of three years.

16 **(1)** Subject to subsection (3), upon the expiry of the term of office of any director described in clauses 15(1)(b) to (d), the director shall be re-appointed by the Union of Nova Scotia Municipalities or replaced by a person appointed by the Union to represent the same regional municipality or same type of municipality as the director whose term has expired represented, for a term of three years.

(2) Subject to subsection (3), upon the expiry of the term of office of any director described in subsection 15(2), the director may be re-appointed or replaced by a person appointed by the Board, for a term of three years.

(3) No person may serve as a director for more than two consecutive terms.

(4) Where a director ceases to be qualified to serve as a director, the director ceases to be a director and shall be replaced by a person with the same qualifications as the person who ceased to be a director, using the same criteria as are set out in Section 15.

(5) A vacancy on the Board does not impair the ability of the Board to act.

17 (1) Upon the expiry of the term of the former Chair of the Transitional Board, the Board shall elect one of the directors as Chair.

(2) Upon the expiry of the term of the former Vice-chair of the Transitional Board on December 1, 2008, the Board shall elect one of the directors as Vice-chair who shall act in the place of the Chair in the absence or inability of the Chair to act or when the position of the Chair is vacant.

(3) Neither the Deputy Minister of Service Nova Scotia nor the Executive Director of the Union of Nova Scotia Municipalities is eligible to serve as Chair or Vice-chair of the Board.

(4) The Chair and Vice-chair shall be elected for a term of no more than three years in length in the discretion of the Board and may not be re-elected for a consecutive term.

18 (1) The Corporation may

(a) receive, acquire, take, hold, mortgage, sell, convey or otherwise dispose of or deal with real and personal property and any interest therein;

(b) make by-laws not inconsistent with this Act, the *Assessment Act* or any other law of the Province, as it deems necessary for the effective attainment of its objects and the exercise of its powers and for the internal control, management and administration of the Corporation including, without limiting the generality of the foregoing,

(i) the calling of meetings of the Board,

(ii) the appointment, removal, functions and duties of the Chief Executive Officer of the Corporation,

(iii) the creation of committees,

(iv) the delegation to the Chief Executive Officer of the Corporation and committees of such powers and duties as the Board deems necessary,

(v) the procedure to be followed at meetings of the Board and of the committees,

(vi) changing the distribution formula set out in subsection 35(4),

(vii) the procedure to adopt by-laws.

(2) By-laws are effective when approved by a resolution passed by a two-thirds majority of the directors, including a majority of those directors who are elected municipal officials, or such higher proportion of directors as is determined by a by-law made by the Board after the coming into force of this Act.

(3) The Corporation shall use its income solely for the purpose of performing duties and activities authorized pursuant to this Act.

(4) The Corporation shall apply any surplus, apart from reserve funds established by the Board, to pay its budgeted expenditures.

19 (1) The Corporation is responsible for the assessment of all properties that are required under the *Assessment Act* to be assessed and for such other duties as are prescribed by this Act or any other Act of the Legislature.

(2) The Corporation shall perform the duties assigned to assessors pursuant to the *Assessment Act* and the *Municipal Government Act.*

(3) The Corporation may perform such additional duties consistent with this Act as are considered by the Board to be advantageous to the Corporation.

(4) The Corporation may undertake valuation of properties for purposes other than that of the delivery of assessment services to Nova Scotia municipalities, provide expertise, technology, instruction, information and other assistance to municipalities and other persons, within and without the Province, and may levy fees related to the rendering of such services.

(5) A person employed as an assessor by the Corporation is an assessor pursuant to the *Assessment Act* and has all of the powers, responsibilities and immunities of an assessor appointed under the *Assessment Act.*

20 (1) The Corporation, its property and assets are exempt from municipal taxation, including the fire protection rate under Section 80 of the *Municipal Government Act* and local improvement charges under Section 81 of the *Municipal Government Act.*

(2) A person, firm or association other than the Corporation, that occupies real property of the Corporation shall be assessed and rated for taxes pursuant to the *Assessment Act* or the *Municipal Government Act* in respect of that property, but the property itself is not liable.

21 Any deed, mortgage, trust deed, lease, assignment of mortgage, bond, debenture, promissory note, bill of exchange or other documents or security that in the course of business may have to be executed by the Corporation may be signed by the Chair or Vice-chair and the secretary, or by any officer of the Corporation or officer or director of the Corporation that the Corporation may authorize in that behalf by resolution or by-law, and the seal of the Corporation is only necessary on such documents as would be required to be sealed by private individuals.

22 A majority of the directors is a quorum of the Board.

23 The fiscal year of the Corporation begins April 1st in each year and ends March 31st in the following year.

24 (1) Directors may be remunerated as determined by the Board and approved by the Executive of the Union of Nova Scotia Municipalities.

(2) Directors shall be reimbursed by the Corporation for reasonable expenses incurred in the performance of their duties at the same rates prescribed by the Union of Nova Scotia Municipalities for the members of its Executive.

25 (1) The Board shall appoint a person to be the Chief Executive Officer of the Corporation.

(2) The Chief Executive Officer is responsible for the operation of the Corporation, including the appointment, removal, functions and duties of the other employees of the Corporation.

(3) The Chief Executive Officer shall implement the policies, priorities and procedures established by the Board and perform such additional duties as may be assigned by the Board from time to time.

(4) The Chief Executive Officer is the secretary of the Board.

(5) The Chief Executive Officer is the Director of Assessment pursuant to the *Assessment Act*, unless the Board appoints an employee of the Corporation to be the Director of Assessment.

(6) The Board from time to time may authorize any other person to assist the Director of Assessment in carrying out the duties of the Director of Assessment or to act in the place and stead of the Director of Assessment.

(7) The duties of the Director of Assessment may, subject to supervision and control, be delegated by the Director of Assessment to the person authorized by the Board pursuant to subsection (6) and such delegation may relate to all or part of the Province.

26 The Board shall appoint an accountant licensed under the *Public Accountants Act* to audit the accounts of the Corporation.

27 (1) On or before August 1st in each year the Corporation shall provide an annual report to each of its members and to the Minister concerning the previous fiscal year.

(2) The annual report shall include the audited financial statements of the Corporation, a narrative of the Corporation's activities for the fiscal year covered by the report, an evaluation of its activities based on performance measures and confirmation of compliance with standards adopted by the Board.

(3) The Corporation shall present its annual report to the annual conference of the Union of Nova Scotia Municipalities, and shall also present its proposed budget for the forthcoming fiscal year, its three-year operating plan and its five-year capital plan.

28 (1) The Board is deemed to be a local board for the purpose of the *Municipal Conflict of Interest Act*.

(2) A director shall declare an interest in any matter that directly concerns the municipality by which the director is employed or of whose council the director is a member,

other than a matter that is of concern to municipalities generally, and shall withdraw from any discussion of the matter.

29 A declaration of an interest by a director that is required pursuant to Section 28 shall be made in the same manner as a declaration of interest is to be made by a member of a council of a municipality or local board pursuant to the *Municipal Conflict of Interest Act* and that Act, including the procedures and penalties provided in the Act, applies *mutatis mutandis* to directors and the Board.

30 (1) The Corporation may indemnify an employee, a director or officer of the Corporation, a former employee, director or officer of the Corporation or a person who acts or acted as agent at the Corporation's request, and the employee's, director's, officer's or agent's heirs and legal representatives, against all costs, charges and expenses, including an amount paid to settle an action or satisfy a judgment, reasonably incurred by the employee, director, officer or agent in respect of any civil, criminal or administrative action or proceeding to which the employee, director, officer or agent is made a party by reason of being or having been an employee, director, officer or agent of the Corporation, if

(a) the person acted honestly and in good faith with a view to the best interests of the Corporation; and

(b) in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty, the person had reasonable grounds for believing that the conduct was lawful.

(2) The Corporation may, with the approval of the Supreme Court of Nova Scotia, indemnify a person referred to in subsection (1) in respect of an action by or on behalf of the Corporation or body corporate to procure a judgment in its favour, to which the person is made a party by reason of being or having been a director or an officer of the Corporation or body corporate, against all costs, charges and expenses reasonably incurred by the person in connection with such action if the person fulfils the conditions set out in clauses (1)(a) and (b).

(3) A person referred to in subsection (1) is entitled to indemnity from the Corporation in respect of all costs, charges and expenses reasonably incurred by the person in connection with the defence of any civil, criminal or administrative action or proceeding to which the person is made a party, by reason of being a person referred to in subsection (1), if the person seeking indemnity

(a) was substantially successful on the merits in the defence of the action or proceeding; and

(b) fulfils the conditions set out in clauses (1)(a) and (b).

(4) The Corporation may purchase and maintain insurance for the benefit of any person referred to in subsection (1) against any liability incurred by the person in the person's capacity referred to in subsection (1).

(5) The Corporation or a person referred to in subsection (1) may apply to the Supreme Court of Nova Scotia for an order approving an indemnity under this Section and the Court may so order and may make any further order it thinks fit.

(6) Upon an application under subsection (5), the Supreme Court of Nova Scotia may order notice to be given to any interested person and such person is entitled to appear and be heard in person or by counsel.

31 (1) No action or other proceeding for damages lies or shall be instituted against the Board, a director, the Chief Executive Officer or other officer, employee or agent of the Corporation for an act or omission done in good faith in the execution or intended execution of any power or duty pursuant to this Act.

(2) No action or other proceeding for damages lies or shall be instituted against a director, or the Chief Executive Officer or any person acting under the direction of a member of the Board or the Chief Executive Officer for a debt, liability or obligation of the Corporation.

(3) The Corporation, the Board, a director, the Chief Executive Officer or other officer, employee or agent of the Corporation do not owe a duty of care to persons who use the assessment roll for information purposes.

ASSESSMENT SERVICES

32 (1) The Corporation and the Minister shall enter into a memorandum of understanding respecting the transfer of responsibility for the delivery of assessment services to the Corporation, and for the continuing delivery of assessment services by the Corporation.

(2) The memorandum of understanding must include requirements for performance measures and standards for the Corporation, which must be adopted by the Board for the Corporation to follow, and for the continuing exchange of information that was shared within Service Nova Scotia and Municipal Relations, between Service Nova Scotia and Municipal Relations and the Corporation.

(3) The Corporation shall comply with the requirements in the memorandum of understanding.

(4) The memorandum of understanding may be amended from time to time, as agreed by the parties.

33 Until full responsibility for Assessment Services and its property, employees and other assets and liabilities are transferred to the Corporation, the Province shall continue to provide assessment services.

34 The Minister may make an order to effect or confirm the transfer of any funds, assets or liabilities from the Province to the Corporation.

35 (1) The Corporation shall each year prepare a three-year operating plan and a five-year capital budget.

(2) On or before January 31st in each year the Board shall approve the budget for the forthcoming year.

(3) Municipalities shall pay to the Corporation in each year the total amount of estimated expenditures less estimated revenues from other sources contained in the budget referred to in subsection (2).

(4) The share of the balance of the budget to be paid by each municipality is equal to the average of

(a) the proportion that the total uniform assessment of the municipality bears to the total uniform assessment in the Province; and

(b) the proportion that the total number of assessment accounts in the municipality bears to the total number of assessment accounts in the Province,

times the balance of the budget.

36 Members of the Corporation are liable for their share of the budget amount for each year and each member shall be notified of its share of the budget amount for that year.

37 (1) The Corporation shall bill every municipality for its share of the Corporation's budget on or before April 1st in each year.

(2) Every municipality shall pay its share of the Corporation's budget in accordance with the terms and conditions imposed by the Corporation.

(3) The Corporation may provide that a bill be paid in instalments at such times as are prescribed by the Board.

(4) The Corporation may charge interest and impose penalties for late payment or failure to make payments as required by this Section.

38 The Corporation may levy a charge to be paid by municipalities or other persons for any services it provides under this or any other Act.

39 (1) The Corporation is a municipal enterprise for the purpose of the *Municipal Finance Corporation Act*.

(2) The Corporation is a municipal body for the purpose of Part XX of the *Municipal Government Act*.

40 (1) A minister may give to the Corporation any information that the minister considers necessary or useful to assist the Corporation in performing its duties under an enactment.

(2) When a minister, or a person designated by a minister, provides information to the Corporation, the minister or the designated person may impose such conditions as are considered appropriate and, in particular, conditions respecting non-disclosure to third parties, which the Corporation shall observe unless the permission of the minister is obtained.

(3) The Corporation may give to a minister any information and documents that the Corporation considers necessary or useful to assist the Crown in performing its duties under an enactment.

(4) When the Corporation provides information or documents to the Crown, the Corporation may impose such conditions as are considered appropriate and, in particular, conditions respecting non-disclosure to third parties, which the Crown shall observe unless the permission of the Corporation is obtained.

41 (1) The Corporation shall give the Minister access to all information identified as information that was shared within Service Nova Scotia and Municipal Relations pursuant to the memorandum of understanding referred to in Section 32, and the information must be provided free of charge.

(2) The Minister shall give to the Corporation access to all information held by Service Nova Scotia and Municipal Relations identified as information that was shared within Service Nova Scotia and Municipal Relations pursuant to the memorandum of understanding, and the information must be provided free of charge.

42 (1) The Corporation shall give a minister access to all information of the Corporation that the minister requires for the purpose of policy development or program delivery, or to ensure compliance with the *Assessment Act* or another enactment.

(2) When the Corporation provides information to the Crown, the Corporation may impose such conditions as are considered appropriate and, in particular, conditions respecting non-disclosure to third parties, which the Crown shall observe unless the permission of the Corporation is obtained.

(3) The Minister shall give to the Corporation access to all information held by Service Nova Scotia and Municipal Relations that the Corporation requires for the purpose of performing its duties under the *Assessment Act*.

(4) When the Minister provides information to the Corporation, the Minister may impose such conditions as are considered appropriate and, in particular, conditions respecting non-disclosure to third parties, which conditions the Corporation shall observe unless the permission of the Minister is obtained.

43 The Minister shall consult with the Board respecting any proposed amendment to or regulation pursuant to this Act or the *Assessment Act* or any other Act, undertaken by or on behalf of the Government of the Province, that would have a financial impact on the Corporation or affects the duties and responsibilities of the Corporation under the *Assessment Act*.

TRANSITIONAL PROVISIONS

44 A reference in any enactment, resolution or order in council or any document or instrument of any kind to the Director of Assessment shall be read and construed as a reference to the Chief Executive Officer of the Corporation or an employee appointed by the Board under this Act to act as the Director of Assessment, and a reference to Assessment Services shall be read as a reference to the Corporation.

45 (1) In this Section and Sections 46 to 50,

(a) "designated person" means an employee within the Assessment Services Division of Service Nova Scotia and Municipal Relations;

(b) "employee" means an employee of Service Nova Scotia and Municipal Relations immediately before this Section comes into force, and who was appointed in accordance with the *Civil Service Act*.

(2) Every designated person becomes an employee of the Corporation and ceases to be a person appointed in accordance with the *Civil Service Act* on the date that the Minister indicates that the person is a designated person.

(3) The continuity of employment of a designated person is not broken by the effect of this Section.

(4) The *Civil Service Act* and the regulations made pursuant to that Act and the *Civil Service Collective Bargaining Act* do not apply to a designated person.

(5) Every designated person is employed by the Corporation on the same or equal terms and conditions of employment as those under which the employee was employed as an employee until changed by collective agreement or contract of employment.

(6) Every designated person is deemed to have been employed with the Corporation for the same period of employment that the employee was credited with as an employee of the Province.

(7) Benefits accumulated by a designated person while employed by the Province are vested in the designated person, and the designated person is entitled to receive those benefits from the Corporation.

46 Where, at retirement from the Corporation, a designated person would have been eligible for a public service award under the *General Civil Service Regulations* made under the *Civil Service Act* if the person had remained as an employee of the Province,

(a) the Province shall pay to the person, upon retirement, an amount equivalent to the amount of the public service award that it would have paid to the person for the person's years of employment with the Province; and

(b) the Corporation shall pay an amount equivalent to the amount of public service award that would have been paid by the Province if the person had remained as an employee of the Province, less than the amount paid pursuant to clause (a).

47 (1) The Corporation is bound by a collective agreement concluded pursuant to the *Civil Service Collective Bargaining Act* in relation to the designated person as if it were a party to the collective agreement as the employer and as if the collective agreement were concluded pursuant to the *Trade Union Act* by a bargaining agent certified pursuant to the *Trade Union Act*.

(2) For greater certainty, the Corporation is a transferee for the purpose of Section 31 of the *Trade Union Act* and, without limiting the generality of the foregoing, the Corporation is bound by successor rights as determined pursuant to the *Trade Union Act*.

48 Each designated person who was an employee within the meaning of the *Public Service Superannuation Act* before this Act came into force and each designated person in a bargaining unit whose collective agreement provided for participation in the Public Service

Superannuation Plan before the coming into force of this Act is deemed to continue to be a person employed in the civil service of the Province for all purposes of the *Public Service Superannuation Act* and service in the employment of the Corporation is deemed to be service in the public service of the Province.

49 Subject to any applicable collective agreement or contract of employment, each designated person who was covered by the Nova Scotia Public Service Long Term Disability Plan before this Act came into force or was included in a bargaining unit whose collective agreement provided for long term disability benefits under the Nova Scotia Public Service Long Term Disability Plan is deemed to continue to be a person to whom the Nova Scotia Public Service Long Term Disability Plan applies, unless the person elects, in writing, to become a member of a plan established by the Corporation.

50 (1) The obligations and liabilities of the Province in respect of designated persons are the obligations and liabilities of the Corporation, including all employee benefits and entitlements and, for greater certainty, all designated persons continue to be covered under the Province of Nova Scotia Group Life Assurance Plan, Policy Nos. 71298 and 71309, the Consolidated Health and Dental Plan, the Employee Assistance Plan (EAP) and Short Term Illness (STI) plan, and the appropriate employee deductions and employer contributions shall be made by the Corporation, unless the person elects, in writing, to become a member of a similar plan established by the Corporation.

(2) The Corporation shall, prior to the date on which the designated persons become employees of the Corporation, establish group life, medical, dental, pension, employee assistance, short term illness and long term disability plans to provide to employees who are not designated persons.

51 The Corporation is a successor employer for purposes of the *Pension Benefits Act*.

52 (1) The Minister may, upon consultation with the Corporation, make regulations

(a) respecting any matter authorized by this Act to be done by regulation;

(b) defining any word or expression used but not defined in this Act;

(c) the Minister considers necessary or advisable to carry out the intent and purpose of this Act.

(2) The exercise by the Minister of the authority contained in this Section is regulations within the meaning of the *Regulations Act*.

CONSEQUENTIAL AMENDMENTS

53 (1) **Subsection 2(1) of Chapter 23 of the Revised Statutes, 1989, the *Assessment Act*, as amended by Chapter 19 of the Acts of 1990, Chapter 18 of the Acts of 1998, Chapter 9 of the Acts of 2002, and Chapter 9 of the Acts of 2005, is further amended by adding immediately after clause (d) the following clause:**

(e) "Corporation" means the Property Valuation Services Corporation;

(2) Sections 15 and 16 of Chapter 23 are repealed and the following Section substituted:

15 (1) The Corporation is responsible for the assessment of all properties that are required by this Act to be assessed and such other duties as are prescribed by this Act or any other Act of the Legislature.

(2) The Corporation may employ assessors and other persons as it may from time to time require for the purpose of carrying out its duties under this Act and any other Act of the Legislature.

(3) Assessors and other persons employed by the Corporation are not subject to the *Real Estate Appraisers Act*.

(3) Subsection 58(6) of Chapter 23 is repealed and the following subsection substituted:

(6) The cost of the required physical facilities and staff for a regional assessment appeal court shall be paid from the Consolidated Fund of the Province.

(4) Subsection 69A (3) of Chapter 23, as enacted by Chapter 9 of the Acts of 2000, is amended by striking out "Minister" in the second line and substituting "director".

(5) Section 178 of Chapter 23 is amended by adding immediately after subsection (3) the following subsection:

(4) Effective April 1, 2007, all assessment rolls, assessment plans, maps, drawings and charts, and all assessment books, sheets, pages, cards and all other assessment records, including electronic records, belonging to or in the possession of Her Majesty in right of the Province are vested in the Corporation.

54 Clause 68(e) of Chapter 376 of the Revised Statutes, 1989, the *Public Service Act*, is repealed.

55 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.